

# United States District Court District of Massachusetts

THOMAS McNIFF,  
Plaintiff,

v.

CIVIL ACTION NO. 05-10238

TOWN OF DRACUT,  
Defendant.

## *SCHEDULING ORDER RE: SUMMARY JUDGMENT MOTIONS - RULE 16(b), FED. R. CIV. P.*

COLLINGS, U.S.M.J.

The Court enters the within Scheduling Order Re: Summary Judgment Motions pursuant to Rule 16(b), Fed. R. Civ. P.:

(1) The defendant is granted leave to file and serve a motion for summary judgment *on or before the close of business on Monday, December 21, 2005*. The motion shall be accompanied by a memorandum in support together with any materials in support provided the materials comply with the

requirements of Rule 56(e), F.R. Civ. P. The plaintiff is granted leave to file an opposition to the motion for summary judgment *on or before the close of business on Friday, December 23, 2005*. The opposition shall be accompanied by a memorandum in opposition together with any materials in opposition provided the materials comply with the requirements of Rule 56(e), F.R. Civ. P. No memorandum in support or in opposition a motion for summary judgment shall exceed twenty (20) pages in length. *See Local Rule 7.1(a)(4).* Any memorandum in support of a motion for summary judgment shall point out the undisputed facts upon which the motion is based with specific reference to affidavits, depositions, or other documentation. Any memorandum in opposition to a motion for summary judgment shall contain a listing of material facts asserted to be in dispute similarly referenced. *See Local Rule 56.1.* Any requests for hearing on the motion shall be made in accordance with Local Rule 7.1(c). The defendant is granted leave to file a reply memorandum (not to exceed seven pages) *on or before the close of business on Friday, January 6, 2006.*

*/s/ Robert B. Collings*

ROBERT B. COLLINGS  
United States Magistrate Judge

September 20, 2005.